

(ORDER LIST: 528 U. S.)

TUESDAY, OCTOBER 12, 1999

ORDERS IN PENDING CASES

- 99M28 TORAIN, BILLY J. V. SIEMENS ROLM COMM INC.  
99M29 CARPENTER, JEROME T. V. WHITE, WARDEN  
99M30 SHERRILL, BARBARA E. V. PICO, THOMAS M  
99M31 SHERRILL, BARBARA E. V. AZ REGISTRAR OF CONTRACTORES  
99M33 BARROIS, MILDRED V. GIOUX ENTERPRISES  
99M34 PIERSON, JOAN G. V. WILSHIRE TERRACE CORP., ET AL.

The motions to direct the Clerk to file petitions  
for writs of certiorari out-of-time are denied.

- 99M32 MUNOZ, ALFREDO V. TEXAS

The motion for leave to proceed *in forma pauperis*  
without an affidavit of indigency executed by petitioner  
is denied.

- 65, ORIG. TEXAS V. NEW MEXICO

The motion of the River Master for fees and  
reimbursement of expenses is granted and the River Master  
is awarded a total of \$3,189.83 for the period April 1,  
1999 - June 30, 1999, to be paid equally by the parties.

- 98-1170 PORTUONDO, SUPT., FISHKILL V. AGARD, RAY

The motion for appointment of counsel is granted  
and it is ordered that Beverly Van Ness, Esq., of New  
York, New York, is appointed to serve as counsel for the  
respondent in this case.

99-5542 REIMAN, JOHN K. V. WAGSTAFF, KENNETH, ET AL.

The motion of petitioner for leave to proceed *in forma pauperis* is denied. See Rule 39.8. Petitioner is allowed until November 2, 1999, within which to pay the docketing fee required by Rule 38(a) and to submit a petition in compliance with Rule 33.1 of the Rules of this Court.

99-5925 HENLEY, FREDRICK J. V. STATE BAR OF GA

The motion of petitioner for leave to proceed *in forma pauperis* is denied. Petitioner is allowed until November 2, 1999, within which to pay the docketing fee required by Rule 38(a) and to submit a petition in compliance with Rule 33.1 of the Rules of this Court.

99-5932 ROSENBERG, JEFFREY A. V. BUSH, GEORGE, ET AL.

The motion of petitioner for leave to proceed *in forma pauperis* is denied. See Rule 39.8. Petitioner is allowed until November 2, 1999, within which to pay the docketing fee required by Rule 38(a) and to submit a petition in compliance with Rule 33.1 of the Rules of this Court.

99-6033 IN RE ANTHONY JOHN VENERI, JR.

The motion of petitioner for leave to proceed *in forma pauperis* is denied. See Rule 39.8. Petitioner is allowed until November 2, 1999, within which to pay the docketing fee required by Rule 38(a) and to submit a petition in compliance with Rule 33.1 of the Rules of this Court.

**CERTIORARI GRANTED**

98- 1991 PUBLIC LANDS COUNCIL, ET AL. V. BABBITT, SEC. OF INTERIOR

99- 166 UNITED STATES V. HUBBELL, WEBSTER L.

The petitions for writs of certiorari are granted.

98- 1167 CHRISTENSEN, EDWARD, ET AL. V. HARRIS CTY., TX, ET AL.

The petition for a writ of certiorari is granted limited to the following question: Whether a public agency governed by the compensatory time provisions of the Fair Labor Standards Act of 1938, 29 U.S.C. 207(o), may, absent a preexisting agreement, require its employees to use accrued compensatory time.

98- 9349 BOND, STEVEN D. V. UNITED STATES

The motion of petitioner for leave to proceed *in forma pauperis* is granted. The petition for a writ of certiorari is granted limited to Question 1 presented by the petition.

**CERTIORARI DENIED**

98- 1713 ARKANSAS V. MAZEPINK, WALTER DON

98- 1886 MAYOR/CITY COUNCIL BALTIMORE vs. ONE 1995 CORVETTE VIN#

98- 1933 AZTEC GEN. AGENCY vs. FDIC

98- 8272 WIPPERT, STEPHEN S. V. TEXAS

98- 9273 WHITE, RICKEY V. GIBSON, WARDEN, ET AL.

98- 9377 MAYS, REX W. V. TEXAS

98- 9595 WILKERSON, ROBERT M V. UNITED STATES

98- 9721 MIDDLETON, DAVID S. V. NEVADA

98- 9793 AKINTOBI, ADEDAYO O., ET AL. V. UNITED STATES

99-20 ROBINSON, GLORIA, ET AL. V. CLOCK TOWER PLACE, ET AL.  
 99-34 YANKTON SIOUX TRIBE V. UNITED STATES  
 99-44 PARADISSIOTIS, CHRIS V. SUMMERS, SEC. OF TREASURY  
 99-59 ) NM TAXATION & REVENUE DEPT. V. RAMAH NAVAJO SCH. BD., ET AL  
 )  
 99-228 ) RAMAH NAVAJO SCH. BD., ET AL vs. NM TAXATION & REVENUE DEPT.  
 99-65 FELDMAN, MARCUS B. vs. HO, CHUNG WU, ET AL.  
 99-71 KOSTMAYER, JAMES, ET AL. V. DEPT. OF TREASURY, ET AL.  
 99-75 KAPLAN, BARRY V. UNITED STATES  
 99-80 CALLAHAN, FRANCES V. SUFFOLK CTY. SOC. SERVS.  
 99-86 ) WHEELING & LAKE ERIE RAILWAY V. PA PUBL. UTIL. COMM., ET AL  
 )  
 99-234 ) PA PUBL. UTIL. COMM., ET AL V. WHEELING & LAKE ERIE RWY CO.  
 99-99 STATE LINE HOTEL, INC. V. BUDDENSICK, CHRIS  
 99-104 HAWAII V. ANDERSON, ERNEST A.  
 99-106 FRATERNAL ORDER OF POLICE V. UNITED STATES  
 99-107 LUNDELL, TERRY V. WATKINS, DANIEL, ET UX.  
 99-111 MIKEL, RUSSELL D., ET UX. V. ALLEN, RUTH, ET AL.  
 99-154 PA DEPT. OF REVENUE, ET AL. V. NEWMAN, FELICE, ET AL.  
 99-189 KANSAS V. GARZA, MARIO  
 99-193 PARRISH, BARBARA, ET AL. V. NIKOLITS, GARY, ETC.  
 99-198 EVANS, KATHLEEN V. LEDERLE LABS., ET AL.  
 99-199 EMERY, EDWARD S. V. TOLEDO, OH, ET AL.  
 99-202 SMITH, ALICE M V. CENTRA BENEFIT SVCS., INC.  
 99-204 MALLEY, PETER V. KEENAN, JUDGE, USDC SD NY  
 99-207 GOMEZ, DIR., CA DOC, ET AL. vs. HART, JAMES THOMAS  
 99-212 BERGENDAHL, CHARLOTTE, ETC. vs. MA ELECTRIC CO.  
 99-214 GREENE, JOSEPH, ET AL. V. HAM, ERIC  
 99-215 CASEY, DIANA, ET AL. vs. RI RETIREMENT BD. ET AL.

99-217 HOFFMANN, JO ANN V. TWAMLEY, TIM, ET AL.

99-226 YOUNG, GRADY R. V. GREGOIRE, WA ATTY. GEN.

99-227 BROOKS, TROY E. V. BODWELL, ERICA, ET AL.

99-231 LLAMPALLAS, ELBA V. MINI-CIRCUITS LAB, ET AL.

99-233 DeSHAY, ALBERTA, ET VIR V. BASTROP INDEPEND. SCH. DIST.

99-235 DEMASSE, ROGER, ET AL. vs. ITT CORP.

99-236 SLOOP, GILBERT E. V. ABTCO, INC.

99-237 CHIROPRACTIC AMERICA V. LaVECCHIA, JAYNEE, ET AL.

99-239 PARRETT, BARBARA A. V. MIZE, JAMES M

99-241 PANG, CHEN-LI V. ALLSTATE INS. CO.

99-242 TAYLOR COMMUNS. GROUP, INC. V. SW BELL TELEPHONE CO., ET AL

99-245 JACKSON, RONALD V. TEXAS

99-247 FREEDMAN, PHILIP V. McCANDLESS, MARGARITE J.

99-249 GUARDIAN LIFE INS. CO. V. UNIBELL ANESTHESIA, P. C.

99-252 COMBUSTION ENGINEERING, INC. V. McGill, LOIS A., ET AL.

99-254 STROUT, ELWOOD, ET AL. V. ALBANESE, J. DUKE, ETC.

99-260 JOHNSTON, ROBERT CHARLES V. NC ATTY. GEN, ET AL.

99-264 DICKERSON, GLENN D., ET AL. V. DALLAS, TX

99-266 COOK COUNTY, IL V. CHANDLER, JANET

99-272 NEWMAN, LAWRENCE T., ET UX. V. DEITER, CHARLES, ET AL.

99-277 PLETCHER, DONALD MICHAEL V. KENTUCKY

99-279 OCKENDEN, WARD, ET UX. V. JOSEPHINE COUNTY, OR, ET AL.

99-280 TAM, KIN SIU V. GEORGIA

99-288 CARTER, VALERIE, ETC. V. UNITED STATES

99-290 DAVIS, FRED V. MALDEN BD. OF ASSESSORS

99-291 SCARBOROUGH, ELISABETH ANN V. FISCHER, MARK E.

99-293 SACHS, ROBERT, ET AL. V. INTELOGIC TRACE, INC., ET AL

99- 300 COASTAL FUELS OF PUERTO RICO V. CARIBBEAN PETROLEUM CORP.  
 99- 307 MOORE, TEDDY I. , ET AL. V. TIME INC. , ET AL.  
 99- 310 PERRY, LLOYD G. V. UNITED STATES, ET AL.  
 99- 313 CUMMINS, BRET V. PEPSI-COLA CO. , ET AL.  
 99- 314 FOFANA, MUAZ B. A. , ET AL. V. LANDTECH ENGINEERING, ET AL.  
 99- 316 BROADWAY, RACHAEL M V. SINEX, DONALD G. , ET AL.  
 99- 317 ARNETT, WILLIAM COY V. UNITED STATES, ET AL.  
 99- 318 McGLONE, WARREN V. PENNSYLVANIA  
 99- 320 AKS DAKS COMMS. , ET AL. vs. AZ CORPS. COMMN. , ET AL.  
 99- 322 McGUINNESS, KEVIN M V. REGENTS, UNIV. OF NM  
 99- 327 DANIELSON, SCOTT V. HAWAII  
 99- 330 DAVIDSON, LANING V. DETROIT FREE PRESS, ET AL.  
 99- 335 TICHENOR, BERNARD E. V. CALDERA, SEC. OF THE ARMY  
 99- 336 GILLAND, BRUCE V. CALDERA, SEC. OF THE ARMY  
 99- 346 BOGGIA, GLENN V. UNITED STATES, ET AL.  
 99- 350 ) COX, BILLY WAYNE V. UNITED STATES  
 )  
 99- 5935 ) LONG, MASON V. UNITED STATES  
 )  
 99- 5989 ) TROUT, ARNOLD G. V. UNITED STATES  
 99- 352 JONES, RITA RENEE V. HENDERSON, POSTMASTER GEN.  
 99- 357 WATERMAN STEAMSHIP CO. V. WEEKS MARINE, INC.  
 99- 364 RICE, JERRY, ET AL. V. UNITED STATES  
 99- 382 HAY, LUCIAN HUNTER V. LAZAROFF, WARDEN, ET AL.  
 99- 383 HUTCHERSON, BLANCHE V. NEW YORK CITY, ET AL.  
 99- 385 KING, JAMES G. V. WA ADVENTIST HOSPITAL, ET AL  
 99- 397 McFARLAND, BENJAMIN V. ARKANSAS  
 99- 400 STEELE, WILLIAM O. V. UNITED STATES  
 99- 406 FINNEGAN, JACK, ET UX. V. CIR

99- 407 JONES, RONALD D. V. UNITED STATES  
99- 408 CREA, STEVEN V. UNITED STATES  
99- 413 LUKACS, FRANK P. V. SHALALA, SEC. OF H&HS  
99- 421 FERMIN, FREDERICK C. V. UNITED STATES  
99- 425 WALLACE, RICKEY V. STIEHL, JUDGE, USDC SD IL  
99- 5063 NICHOLS, TERRY L. V. UNITED STATES  
99- 5137 SEARS, DEMARCUS A. V. GEORGIA  
99- 5236 BEUKE, MICHAEL V. OHIO  
99- 5242 IHU, ODINAKA E. V. UNITED STATES  
99- 5253 CHARLES, BEN V. APFEL, COMM R, SOCIAL SEC.  
99- 5354 WRIGHT, FREDDIE L. V. HALEY, COMM R, AL DOC  
99- 5402 BATTLE, DARWIN R. V. BRUTON, WARDEN, ET AL.  
99- 5508 PESEK, LIBBIE V. WI DEPT. OF HEALTH & FAMILY  
99- 5528 MASON, MILFORD J. V. HAGERSTOWN POLICE DEPT.  
99- 5540 McBROOM, GRACIE V. BOB-BOYD LINCOLN MERCURY  
99- 5544 JONES, MARY A. V. MN MINING AND MFG. , ET AL.  
99- 5545 JONES, MONROE V. CALIFORNIA  
99- 5558 BROWN, JONATHAN M. V. MICHIGAN  
99- 5559 BROWN, TRACY B. V. DAVIS, JOANN, ET AL.  
99- 5563 MELENDEZ, PETER F. V. AZ DEPT. OF ECONOMIC SEC.  
99- 5565 TAYLOR, KATHLEEN A. V. WALL, CYNTHIA, ET AL.  
99- 5568 BUCHANAN, JASPER V. BIRNIE, STEPHEN G. , ET AL.  
99- 5569 CARTER, KEITH R. V. HERNANDEZ, CLERK, ETC.  
99- 5573 GREEN, LEWIS A. V. CUMBERLAND, W. K. , ET AL.  
99- 5575 FLYNN, JAMES E. V. THOMAS, WILLIAM, ET AL.  
99- 5581 COLEMAN, MICHAEL A. V. TENNESSEE  
99- 5583 BARKER, KEVIN V. FLORIDA PAROLE COMM N, ET AL

99- 5584 BROWN, MARVIN D. V. JOHNSON, DIR. , TX DCJ  
99- 5585 PIRTLE, JAI V. OHIO  
99- 5590 RABB, DAVID V. WEST VIRGINIA  
99- 5606 TAYLOR, CARSBIA V. V. VEIGAS, KEITH W. , ET AL.  
99- 5607 CRUTHIRD, MICHAEL E. V. TEXAS  
99- 5610 GRAY, WILLIAM T. V. CALIFORNIA, ET AL.  
99- 5618 CURRO, ANDREW V. KELLY, SUPT. , ATTICA, ET AL.  
99- 5619 STUBBS, REINHARDT A. V. FLORIDA  
99- 5622 VO, JACK V. CALIFORNIA  
99- 5624 CARLSON, MICHAEL J. V. WOODS, WARDEN, ET AL.  
99- 5625 BAILEY, DAVID D. V. TEXAS  
99- 5626 SCHOUSTER, EDNA V. LANGLEY, WARDEN  
99- 5633 JOHNSON, WILLIAM E. V. SUPER FRESH FOOD MKTS. , INC.  
99- 5637 ADAMS, CRAIG S. V. INMAN, ANTHONY R.  
99- 5638 GRIFFIN, LAWRENCE V. APFEL, COMM R, SOCIAL SEC.  
99- 5641 SHARP, KYLE D. V. ARIZONA  
99- 5642 THIBODEAUX, ALLISON S. V. LOUISIANA  
99- 5645 LANCASTER, DAVID G. V. CALIFORNIA  
99- 5652 HATTER, FANNIE V. NYC HOUSING AUTH. , ET AL.  
99- 5654 ATHMER, GENEVA V. HILL, STEVEN M , ET AL.  
99- 5656 MENDLOW, CARL D. V. UNIV. OF WASHINGTON, ET AL.  
99- 5658 MORELAND, JAMES W. V. JOHNSON, DIR. , TX DCJ  
99- 5659 McKENNA, PATRICK C. V. NEVADA  
99- 5660 LEGGETT, KERRY L. V. JOHNSON, DIR. , TX DCJ  
99- 5662 WOODS, JEFFREY A. V. CAESAR, CLARENCE, ET AL.  
99- 5680 McCLAIN, EARNEST V. PRYOR, ATT' Y GEN. OF AL  
99- 5681 LEACH, BOBBY J. V. ALABAMA

99-5685 CUMMINGS, JAMES M V. MICHIGAN

99-5686 FRAZIER, CRAIG W vs. MI STATE PRISON, ET AL.

99-5687 DOUGLAS, ADAM S M V. LEHMAN, SEC. , WA DOC, ET AL.

99-5689 DODSON, RICARDO V. vs. LEONARD, WARDEN

99-5690 DAVIS, CLYDE E. V. EARHART, DENNIS, ET AL.

99-5692 HOLLIDAY, WARREN D. V. JOHNSON, DIR. , TX DCJ

99-5693 DIAL, KENNETH W. V. DeLOACH, WARDEN, ET AL.

99-5695 HOANG, ANH T. V. JOHNSON, DIR. , TX DCJ

99-5697 STANCLIFF, ROY A. V. COFFIELD, H. H. , ET AL.

99-5698 SNIPES, BEN A. V. WARDEN, CADDO CORRECTIONAL

99-5701 OWENS, HAROLD L. V. RAY, DAVID, ET AL.

99-5705 ALLEN, WILLIAM F. V. WEST VIRGINIA, ET AL.

99-5710 SAVIOR, OLE V. VENTURA, GOV. OF MN, ET AL.

99-5712 WASHINGTON, ALVIN V. MARGOLIS, JAMES Z.

99-5713 GREEN, RONALD L. V. USPS

99-5715 HANLEY, HAMPTON R. V. HOUSTON, TX, ET AL.

99-5720 MADASCI, BRIAN L. V. MOORE, SEC. , FL DOC, ET AL.

99-5722 WHITE, CLIFTON V. OHIO

99-5727 BLAND, JANESE M V. BEVERLY HILLS UNIFIED

99-5728 MANCE, CHARLOTTE V. ARIZONA, ET AL.

99-5730 KING, ARTHUR L. V. SMITH, WARDEN

99-5738 STEVENSON, WILLIE V. NIXON, ATT'Y GEN. OF MO

99-5752 BRYAN, LARRY A. V. KANSAS

99-5754 ROBERTS, DAVID L. V. ALABAMA

99-5757 STONE, BRIAN G. V. OREGON

99-5758 PATTON, ERIC A. V. OKLAHOMA

99-5764 LEVITAN, DANIEL J. V. UNITED STATES

99- 5767 VILLAGRANA, ANTONIO Y. V. CALIFORNIA  
99- 5796 OUTLAND, BONITA V. HENDERSON, POSTMASTER GEN.  
99- 5802 SIMMONS, TERRY J. V. JOHNSON, DIR. , TX DCJ  
99- 5815 LeFORCE, BETTY P. V. SZMUTKO, FRANK  
99- 5817 THOMPSON, SIRANO V. MOORE, SEC. , FL DOC  
99- 5820 FERNANDEZ, JOSEPH V. CONNECTICUT  
99- 5822 DELGADO, RICARDO V. TEXAS  
99- 5824 GALVAN, ABRAHAM V. JOHNSON, DIR. , TX DCJ  
99- 5831 STEWART, THOMAS G. V. SCOTT, EXEC. DIR. , TX DCJ  
99- 5843 DUPARD, CORNELIUS J. V. CAIN, WARDEN  
99- 5844 DUREN, DAVID R. V. HALEY, COMM R, AL DOC  
99- 5846 HARRIS, AUTHER L. V. JOHNSON, DIR. , TX DCJ  
99- 5850 CLARK, PAUL F. V. NASSAU COUNTY, NY  
99- 5852 PINK, JOYCE V. USPS, ET AL.  
99- 5856 POWELL, MICHAEL D. V. OHIO  
99- 5857 SOVAK, JOHN V. BOARD OF ED. OF NY CITY  
99- 5859 FOSTER, LESLIE R. V. JOHNSON, DIR. , TX DCJ  
99- 5861 HERNANDEZ, MICHAEL M V. JOHNSON, DIR. , TX DCJ  
99- 5871 HILL, STEPHEN J. V. DORMIRE, SUPT. , JEFFERSON  
99- 5874 HINSON, SHERMAN L. V. FLORIDA  
99- 5889 WILLIAMS, LATRINA V. UNITED STATES  
99- 5893 PARRISH, JOHN F. V. UNITED STATES  
99- 5921 FLEMING, JOHN H. V. NORTH CAROLINA  
99- 5937 GERMANY, MICHAEL V. PENNSYLVANIA  
99- 5938 GOODRICH, BRADLEY C. V. CALIFORNIA  
99- 5941 PERRY, MORRIS J. vs. USDC ND OH  
99- 5943 MICHAELS, BARRY V. UNITED STATES

99- 5948 KING, WALTER L. V. UNITED STATES  
 99- 5953 RAINE, ROBERT D. V. DORMIRE, SUPT. , JEFFERSON  
 99- 5954 FICKLIN, BENNIE M V. HATCHER, WARDEN, ET AL.  
 99- 5971 SILVA, JOSEPH V. UNITED STATES  
 99- 5978 CAPERS, JOHN A. V. UNITED STATES  
 99- 5981 ALBAUGH, ROYCE V. OHIO  
 99- 5983 SMITH, LYNDA V. ILLINOIS  
 99- 5984 SERGENT, DENNIS V. OHIO  
 99- 5986 PAYAN, EDUARDO V. UNITED STATES  
 99- 5988 ) WEED, RICHARD V. UNITED STATES  
 )  
 99- 6013 ) CLANCY, EDWARD V. V. UNITED STATES  
 99- 5991 TURCIO-SALMERON, JAVIER A. V. UNITED STATES  
 99- 5992 TAFOLLA-CARRILLO, HECTOR V. UNITED STATES  
 99- 5993 WARD, JAMES E. V. ILLINOIS  
 99- 5994 THOMPSON, LARRY L. V. UNITED STATES  
 99- 5995 YURTIS, JANE V. PHIPPS, HARVE  
 99- 5998 COLYAR, JAMES E. V. GILMAN, CONGRESSMAN  
 99- 5999 ) CHAPPELL, STANLEY V. UNITED STATES  
 )  
 99- 6044 ) CAVER, CHARLES E. V. UNITED STATES  
 99- 6002 COOK, GREGORY L. V. UNITED STATES  
 99- 6005 QUINONES, EVAN V. UNITED STATES  
 99- 6009 DAVIES, KEITH W. V. UNITED STATES  
 99- 6012 KAMOGA, ROBERT V. UNITED STATES  
 99- 6014 MORENO, MELQUECEDEC H. V. UNITED STATES  
 99- 6015 JORDAN, CLEOPHUS V. UNITED STATES  
 99- 6019 PATTON, PHILIP C. V. UNITED STATES  
 99- 6021 PERELMAN, MOSHE V. RENO, ATTY. GEN. , ET AL.

99- 6024 MOHLER, DONALD B. V. UNITED STATES  
99- 6025 MOORE, IRA J. V. UNITED STATES  
99- 6026 JACKSON, CLIFFORD A. V. SACCHET, WARDEN, ET AL.  
99- 6029 JONES, VALMARCUS N. V. UNITED STATES  
99- 6031 JACKSON, JAMES V. McMANAMON, JUDGE, ET AL.  
99- 6032 MARCELLO, JAMES V. STETSON, ME  
99- 6036 SANTA, ANTHONY V. UNITED STATES  
99- 6043 ALLEN, JOHNNIE L. V. UNITED STATES  
99- 6045 KELLY, RICHARD V. UNITED STATES  
99- 6046 MILBURN, ROSS A. V. UNITED STATES  
99- 6050 WASHINGTON, TIMOTHY J. V. UNITED STATES  
99- 6056 COOK, QUINCY J. V. UNITED STATES  
99- 6057 GARCIA, JONATHAN V. McCAUGHTRY, WARDEN  
99- 6061 GOMEZ, JOSE V. UNITED STATES  
99- 6063 FRIENDS, WILLIAM V. UNITED STATES  
99- 6064 DE LA CRUZ, HENRICO B. V. UNITED STATES  
99- 6065 DAVID, ARTEM B. V. UNITED STATES  
99- 6074 MITCHELL, TERRY M. V. APFEL, COMM R, SOCIAL SEC.  
99- 6075 McHORSE, JOHN C. V. UNITED STATES  
99- 6076 MARTINEZ, ROBERT V. UNITED STATES  
99- 6079 ASHER, TOMMY V. UNITED STATES  
99- 6081 LOVE, SAMMIE L. V. NORTH CAROLINA  
99- 6085 MATTHEWS, JEFFREY, ET AL. V. UNITED STATES  
99- 6087 ORTIZ, JUAN M. V. UNITED STATES  
99- 6090 STEELE, THOMAS V. UNITED STATES  
99- 6091 OROZCO, HECTOR M. V. UNITED STATES  
99- 6094 UKOSITKUL, PHAIRAT V. UNITED STATES

99- 6099 PERKINS, ALFONZO V. UNITED STATES  
99- 6100 PRICE, JAMES E. V. UNITED STATES  
99- 6104 NOBLE, GERALD V. UNITED STATES  
99- 6107 REYNOSO, MARIA DEL PILAR V. UNITED STATES  
99- 6109 LINDSEY, HENRY JEN V. UNITED STATES  
99- 6111 ANDERSON, MELVIN V. UNITED STATES  
99- 6112 POWERS, JOHN B. V. UNITED STATES  
99- 6117 LANGWORTHY, JOHN A. V. DEAN, ROBERT L. , ET AL.  
99- 6124 JACKSON, DERRICK V. UNITED STATES  
99- 6133 RONCONE, MATTHEW V. NEW JERSEY  
99- 6134 MENDOZA, JAVIER S. V. UNITED STATES  
99- 6141 TOBON, CARLOS B. V. UNITED STATES  
99- 6144 BOONE, GARY D. V. UNITED STATES  
99- 6148 HUBBARD, AARON K. V. UNITED STATES  
99- 6152 DEERING, JEROME F. V. UNITED STATES  
99- 6154 HART, JAMAL, ETC. V. UNITED STATES  
99- 6155 GRAHAM, EMMETT M V. UNITED STATES  
99- 6160 BOUTHOT, ROBERT A. V. UNITED STATES  
99- 6167 LOPEZ, NEFTALY V. UNITED STATES  
99- 6170 MITCHELL, ANTOWINE V. UNITED STATES  
99- 6171 LOZANO, ALVARO V. UNITED STATES  
99- 6183 CASH, BRIAN K. V. UNITED STATES

The petitions for writs of certiorari are denied.

98- 1932 PATAKI, GOV. OF NY, ET AL. V. GRUMET, LOUIS, ET AL.

The petition for a writ of certiorari is denied.

Justice O'Connor, Justice Scalia and Justice Thomas  
would grant certiorari.

98-1942 NIKE, INC. V. WAL-MART STORES, INC., ET AL

The motion of Reebok International Ltd. and Rockport Company, Inc. for leave to file a brief as *amici curiae* is granted. The petition for a writ of certiorari is denied.

98-2007 NEW YORK, NY, ET AL. V. COVINGTON, RONNIE

99-203 COYLE, WARDEN V. MAPES, DAVID A.

The motions of respondents for leave to proceed *in forma pauperis* are granted. The petitions for writs of certiorari are denied.

99-77 GIBSON, EXZAVIOUS L. V. HEAD, WARDEN

The motion of Southern Center for Human Rights for leave to file a brief as *amicus curiae* is granted. The motion of NAACP Legal Defense & Educational Fund for leave to file a brief as *amicus curiae* is granted. The motion of American Bar Association for leave to file a brief as *amicus curiae* is granted. The petition for a writ of certiorari is denied.

99-163 BAGLEY, CYNTHIA, ET VIR V. RAYMOND SCH. DEPT., ET AL.

The motion of Texas Justice Foundation, et al. for leave to file a brief as *amici curiae* is granted. The petition for a writ of certiorari is denied.

99-292 McCARTY, SALLY, ETC. V. BROWN, ALICE, ET AL.

The motion of National Association of Insurance Commissioners for leave to file a brief as *amicus curiae* is granted. The petition for a writ of certiorari is denied.

99- 6101 ROWLES, CHRISTOPHER V. UNITED STATES

The petition for a writ of certiorari is denied.  
Justice Breyer took no part in the consideration or  
decision of this petition.

**MANDAMUS DENIED**

99- 5884 IN RE ROBERT ALLAN CORNELL

99- 5918 IN RE GRZEGORZ KWASIGROCH

The petitions for writs of mandamus are denied.

99- 5667 IN RE QUORDALIS SANDERS

The petition for writ of mandamus and/or  
prohibition is denied.

**REHEARINGS DENIED**

98- 8300 ABDUS- SABIR, ABDULLAH V. HIGHTOWER, WARDEN, ET AL.

98- 8790 SMITH, EDWARD L. V. UNITED STATES, ET AL.

The petitions for rehearing are denied.

**ATTORNEY DISCIPLINE**

D- 2087 IN THE MATTER OF DISBARMENT OF MERCER RANDALL PEEK

Mercer Randall Peek, of Conyers, Georgia, having  
been suspended from the practice of law in this Court by  
order of June 21, 1999; and a rule having been issued  
requiring him to show cause why he should not be  
disbarred;

It is ordered that Mercer Randall Peek is disbarred  
from the practice of law in this Court.

D-2089 IN THE MATTER OF DISBARMENT OF SCOTT DOUGLAS RAPHAEL

Scott Douglas Raphael, of Newport Beach, California, having been suspended from the practice of law in this Court by order of June 24, 1999; and a rule having been issued requiring him to show cause why he should not be disbarred;

It is ordered that Scott Douglas Raphael is disbarred from the practice of law in this Court.

D-2091 IN THE MATTER OF DISBARMENT OF SHELDON J. TURTLETAUB

Sheldon J. Turtletaub, of Port Washington, New York, having been suspended from the practice of law in this Court by order of August 2, 1999; and a rule having been issued and served upon him requiring him to show cause why he should not be disbarred; and the time to file a response having expired;

It is ordered that Sheldon J. Turtletaub is disbarred from the practice of law in this Court.

D-2092 IN THE MATTER OF DISBARMENT OF DAVID GEORGE LEWIS

David George Lewis, of White Plains, New York, having been suspended from the practice of law in this Court by order of August 2, 1999; and a rule having been issued and served upon him requiring him to show cause why he should not be disbarred; and the time to file a response having expired;

It is ordered that David George Lewis is disbarred from the practice of law in this Court.

D-2093 IN THE MATTER OF DISBARMENT OF SETH DARRYL BYKOFSKY

Seth Darryl Bykofsky, of Garden City, New York, having been suspended from the practice of law in this Court by order of August 2, 1999; and a rule having been issued and served upon him requiring him to show cause why he should not be disbarred; and the time to file a response having expired;

It is ordered that Seth Darryl Bykofsky is disbarred from the practice of law in this Court.

D-2094 IN THE MATTER OF DISBARMENT OF THOMAS P. ONDECK

Thomas P. Ondeck, of Washington, D. C., having been suspended from the practice of law in this Court by order of August 2, 1999; and a rule having been issued and served upon him requiring him to show cause why he should not be disbarred; and the time to file a response having expired;

It is ordered that Thomas P. Ondeck is disbarred from the practice of law in this Court.

D-2096 IN THE MATTER OF DISBARMENT OF JACK F. DURIE, JR.

Jack F. Durie, Jr., of Orlando, Florida, having been suspended from the practice of law in this Court by order of August 2, 1999; and a rule having been issued and served upon him requiring him to show cause why he should not be disbarred; and a response having been filed;

It is ordered that Jack F. Durie, Jr., is disbarred from the practice of law in this Court.

D-2097 IN THE MATTER OF DISBARMENT OF JOHN ERIC WILKES

John Eric Wilkes, of Salem, Oregon, having been suspended from the practice of law in this Court by order of August 2, 1999; and a rule having been issued and served upon him requiring him to show cause why he should not be disbarred; and the time to file a response having expired;

It is ordered that John Eric Wilkes is disbarred from the practice of law in this Court.

D-2106 IN THE MATTER OF DISBARMENT OF RICHARD ALAN PIPES

Richard Alan Pipes, of Upper Tumon, Guam, is suspended from the practice of law in this Court and a rule will issue, returnable within 40 days, requiring him to show cause why he should not be disbarred from the practice of law in this Court.

D-2107 IN THE MATTER OF DISBARMENT OF F. MAC BUCKLEY

F. Mac Buckley, of Hartford, Connecticut, is suspended from the practice of law in this Court and a rule will issue, returnable within 40 days, requiring him to show cause why he should not be disbarred from the practice of law in this Court.

D-2108 IN THE MATTER OF DISBARMENT OF RICHARD M. PASSALACQUA

Richard M. Passalacqua, of Framingham, Massachusetts, is suspended from the practice of law in this Court and a rule will issue, returnable within 40 days, requiring him to show cause why he should not be disbarred from the practice of law in this Court.

**RECESS ORDER**

The Court will take a recess from Monday,  
October 18, 1999, until Monday, November 1, 1999.